

AFFIDAVIT
of
SGT. DANIEL P. BANASIK
Missouri State Highway Patrol
(Currently Assigned to DEA Drug Task Force)

I, DANIEL P. BANASIK, being first duly sworn, do depose and state that:

1. I am a Sergeant with the Missouri State Highway Patrol (MSHP), currently deputized and assigned, as a Task Force Officer (TFO), to the Drug Enforcement Administration (DEA) Drug Task Force. As such, I am an investigative and law enforcement officer of the United States authorized to conduct investigations of, and to make arrests and seizures for, offenses enumerated in the "Controlled Substances Act," Title 21, United States Code.
2. Your affiant has been a sworn law enforcement officer for 19 years. I have received specialized training and attended numerous seminars presented by MSHP and DEA relating to the manufacture, distribution and/or possession with the intent to distribute controlled substances. From my training and field experience, I have extensive knowledge of complex illegal drug distribution and/or manufacturing organizations.
3. On March 30, 2006, at approximately 2011 hours, Missouri State Highway Patrol (MSHP) Commercial Motor Vehicle Inspectors Lee and Wilkins stopped a 2000 Peterbilt tractor unit, bearing California registration UP65236, pulling a 1994 Boyd car-hauler trailer, bearing California registration 4GT1633, for a commercial motor vehicle compliance inspection, at the D-4 East Weigh Station,

on I-44 in Newton County, Missouri. The driver of the vehicle was identified as Marzett L. Parker and the passenger was identified as Odell M. Edwards. The trailer contained three vehicles.

4. The inspection revealed several administrative, paperwork, and mechanical deficiencies. During the inspection, the officer became suspicious about the purpose of the travel. Trooper T. O. Mitchell was contacted and responded to the D-4 East Weight Station. Trooper Mitchell concurred with the inspector's suspicions and asked Parker for permission to search the tractor-trailer unit, as well as the vehicles the unit was hauling. Parker granted permission.

5. The search resulted in the seizure of twelve (12) kilogram-sized packages of cocaine. The cocaine was found in the dash of a 1995 Nissan Quest van located on the trailer. A field test demonstrated a positive response for cocaine.

6. The search also located forty (40) one-gallon sized tin cans placed in two cardboard boxes. The boxes were placed in a 2001 Ford Excursion located on the trailer. Each tin can was labeled as UNIQUE OIL, 495 Park Street, Gilford, NV 03249 and was to be shipped to Cantol Inc., 2211 North American Street, Philadelphia, PA 19014. The labels also possessed a manufacture date of 03/25/2006 08:00:50. The boxes containing the tin cans had Consolidated Can Company written on the bottom.

7. Both occupants were interviewed by Sergeant Miles Parks and denied any knowledge of the contraband. Paperwork present in the vehicle showed that Marzett picked up the two vehicles that contained the contraband on March 20, 2006. The other vehicle was picked up on March 14, 2006.

8. Investigation into the information on the label revealed that zip code 03249 is for Gilford, New Hampshire, not Gilford, Nevada. There is no telephone listing for UNIQUE OIL in Gilford, Nevada, nor Gilford, Nevada. A call to Cantol Inc. revealed that they were not expecting any type of oil shipment. A call to Consolidated Can Company revealed that they are a provider of home canning equipment.

9. A representative sample was taken from one of the cans and submitted to the Missouri State Highway Patrol Crime Laboratory on March 31, 2006. The laboratory analysis indicated the presence of phencyclidine (PCP).

10. Based upon my training and experience, the amount of phencyclidine and cocaine seized represent distribution amounts.

SGT. DANIEL P. BANASIK, MSHP
(Currently assigned as a Task Force Officer (TFO)
to the DEA Drug Task Force)

Subscribed and sworn to before me in my presence on this _____ day of
March, 2006.

JAMES C. ENGLAND

United States Magistrate Judge